

1 HOWARD HOLDERNESS, State Bar No. 169874
2 LORELEI A. CRAIG, State Bar No. 244104
3 MORGAN, LEWIS & BOCKIUS LLP
4 One Market, Spear Street Tower
San Francisco, CA 94105-1126
Tel: 415.442.1000
Fax: 415.442.1001

5 Attorneys for Third-Party Respondent
6 PADMASREE WARRIOR

7
8 UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 **CV 11 80 307 MISC**

11 JOE M. GROUSSMAN, ET AL.,

12 Plaintiff,

13 vs.

14 MOTOROLA, INC. ET AL.,

15 Defendants.

Misc. Case No.

and

Case No. 1:10-CV-0091 (pending in the United States District Court for the Northern District of Illinois)

**STIPULATION AND [PROPOSED]
ORDER SHORTENING TIME TO BRING
THIRD-PARTY PADMASREE
WARRIOR'S MOTION FOR
PROTECTIVE ORDER**

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MORGAN, LEWIS &
BOCKIUS LLP
ATTORNEYS AT LAW
SAN FRANCISCO

STIPULATION AND [PROPOSED] ORDER SHORTENING TIME TO BRING THIRD-PARTY PADMASREE
WARRIOR'S MOTION FOR PROTECTIVE ORDER

1 WHEREAS, on February 10, 2010, Plaintiffs Joe M. Groussman and Angelo W.
2 Orlando ("Plaintiffs") brought suit under the Employer Retirement Income Security Act of 1974
3 ("ERISA") alleging, among other things, that Motorola, Inc. and certain individuals breached
4 their fiduciary duties with respect to the Motorola, Inc.'s 401K Plan ("Plan"), particularly with
5 regard to the Plan's investments in Motorola, Inc.'s common stock (the "Litigation");

6 WHEREAS; the Litigation, entitled Joe M. Groussman and Angelo W. Orlando v.
7 Motorola, Inc. et al., is pending in the United States District Court for the Northern District of
8 Illinois, Case No. 1:10-CV-0091;

9 WHEREAS, on October 28, 2011, Plaintiffs issued a subpoena for testimony on
10 December 16, 2011 and documents to a third-party, Padmasree Warrior ("Ms. Warrior"), a
11 resident in the Northern District of California, through this Court ("Subpoena");

12 WHEREAS, Ms. Warrior timely objected to the Subpoena on November 11, 2011,
13 by filing objections with this Court;

14 WHEREAS, counsel for Plaintiffs and counsel for Ms. Warrior engaged in meet
15 and confer efforts regarding the Subpoena, and while they could not reach a consensus with
16 regard to the scope of the Subpoena, they agreed to reschedule Ms. Warrior's deposition to
17 February 3, 2012;

18 WHEREAS, Ms. Warrior intends to move for a protective order under Rule 26(c)
19 of the Federal Rules of Civil Procedure to prohibit her deposition and, in the alternative, limit her
20 deposition on the grounds that when she was the Chief Technology Officer of Motorola, Inc.,
21 over four years ago, she had no involvement with either the administration of the Plan or its
22 assets, she is currently the Chief Technology Officer of Cisco Systems, Inc., and it is unduly
23 burdensome to depose her as the parties can readily obtain whatever information she may possess
24 from one another in the underlying litigation;

25 WHEREAS, counsel for Plaintiffs and counsel for Ms. Warrior have met and
26 conferred about the hearing date and briefing schedule for Ms. Warrior's motion for protective
27 order and, subject to the Court's approval, have agreed to modify the notice and briefing schedule
28 set forth in the Northern District of California Local Rules 7-2 and 7-3 to accommodate further

1 meet and confer efforts;

2 WHEREAS, Plaintiffs and Ms. Warrior consent to having Ms. Warrior's motion
3 for protective order heard by a magistrate judge;

4 NOW THEREFORE, Plaintiffs and Ms. Warrior agree and, through their
5 respective attorneys, STIPULATE AS FOLLOWS:

6 That Ms. Warrior's deadline to file and serve her motion for protective order is
7 Wednesday, January 4, 2012; that Plaintiffs' deadline to file and serve an opposition to Ms.
8 Warrior's motion for protective order is Wednesday, January 11, 2012; Ms. Warrior's deadline to
9 file and serve a reply is Wednesday, January 18, 2012; and the Parties are available for hearing, at
10 the Court's convenience, between January 19, 2012 and February 2, 2012.

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12 Dated: December 28, 2011

MORGAN, LEWIS & BOCKIUS LLP

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14 By 

15 Lorelei Craig
16 Attorneys for Third-Party Respondent
17 Pamasree Warrior

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19 Dated: December 22, 2011

SQUITIERI & FEARON, LLP

20
21 By  *with permission of course*

22 Joseph Goljan
23 Attorneys for Plaintiffs Joe M. Broussman
24 and Angelo W. Orlando

25 **[PROPOSED] ORDER**

26 After consideration of the Parties' Stipulation and good cause having been shown,
27 THE COURT HEREBY ORDERS AS FOLLOWS:

28 That Ms. Warrior's deadline to file and serve her motion for protective order is

1 Wednesday, January 4, 2012; that Plaintiffs' deadline to file and serve an opposition to Ms.
2 Warrior's motion for protective order is Wednesday, January 11, 2012; Ms. Warrior's deadline to
3 file and serve a reply is Wednesday, January 18, 2012; and Ms. Warrior's motion for protective
4 order shall be heard on _____.

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6 Dated:

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8 By _____
9 UNITED STATES DISTRICT COURT
10 JUDGE
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PROOF OF SERVICE

Joe M. Grousmann, et al. v. Motorola, Inc. et al.
United State District Court for the Northern District of California

Misc. Case No. _____

and Case No. 1:10-CV-0091

(Pending in the United States District Court for the Northern District of Illinois)

I am a resident of the State of California and over the age of eighteen years, and not a party to the within action; my business address is One Market, Spear Street Tower, San Francisco, CA 94105. On December 28, 2011,

I served the within documents:

- **STIPULATION AND [PROPOSED] ORDER SHORTENING TIME TO BRING THIRD-PARTY PADMASREE WARRIOR'S MOTION FOR PROTECTIVE ORDER**



by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Francisco, California addressed as set forth below.

VIA USPS

VIA USPS

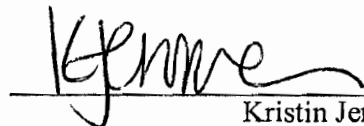
Joseph Goljan
Squitieri & Fearon, LLP
32 East 57th Street
12th Floor
New York, New York 10022

Ian H. Morrison
Ada W. Dolph
SEYFARTH SHAW LLP
131 South Dearborn Street, Suite 2400
Chicago, Illinois 60603

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business.

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct.

Executed on December 28, 2011, at San Francisco, California.



Kristin Jerome